

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA**

| | | |
|---------------------------------|---|------------------|
| TUDOR INSURANCE COMPANY, |) | |
| |) | |
| Plaintiff, |) | 8:08CV110 |
| |) | |
| vs. |) | ORDER |
| |) | |
| HEAVY COMPANY, et al., |) | |
| |) | |
| Defendants. |) | |

This matter is before the court on the plaintiff's Motion to Dismiss with Prejudice (Filing No. 6). The plaintiff seeks to voluntarily dismiss this action, with prejudice, against all defendants before any defendant has filed either an answer or a motion for summary judgment. The court finds the plaintiff's motion should be granted in accordance with Fed. R. Civ. P. 41(a)(1)(A)(i).

IT IS ORDERED that the plaintiff's Motion to Dismiss with Prejudice (Filing No. 6) is granted and this case is dismissed with prejudice, all parties to bear their own costs.

DATED this 8th day of May, 2008.

BY THE COURT:

s/Thomas D. Thalken
United States Magistrate Judge